

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE LUIS AURELIO PINZON, et al.,

Plaintiffs,

-v-

168 8TH AVENUE FOOD CORP., et al.,

Defendants.

20 Civ. 6156 (PAE) (SN)

ORDER OF DEFAULT
JUDGMENT

PAUL A. ENGELMAYER, District Judge:

On August 6, 2020, plaintiffs filed the complaint. Dkt. 1. Defendants have not appeared or answered to otherwise responded to the complaint. On September 14, 2020, Judge Netburn issued an order directing the plaintiffs to file for a default judgment or otherwise inform the Court how plaintiffs wished to proceed by September 18, 2020. Dkt. 11. Also on September 14, 2020, plaintiffs filed for and received Clerk's Certificates of Default as to both defendants, Dkts. 16–17, and filed a status report indicating that upon issuance of the Clerk's Certificates of Default, plaintiffs would move for default judgment, Dkt. 15.

On November 17, the Court issued an order to show cause directing plaintiffs to file a motion for default judgment or otherwise show cause as to why the case should not be dismissed for failure to prosecute. Dkt. 18. On November 27, 2020, plaintiffs filed a motion for default judgment. Dkts. 19–22. On December 1, 2021, the Court issued an order directing defendants to oppose the motion for a default judgment by December 29, 2021. Dkt. 23. On December 3, 2021, plaintiffs served defendants with the Court's order by First Class Mail. Dkts. 24–25.

The Court has reviewed plaintiffs' motion for default judgment pursuant to Federal Rule of Civil Procedure 55(b), Dkt. 19, and plaintiffs' supporting affidavit, Dkt. 20. Because proof of

service has been filed, defendants have not answered the amended complaint, the time for answering the amended complaint has expired, and defendants failed to appear to contest entry of a default judgment for that purpose, the Court enters a default judgment for plaintiffs against the defendants.

The Court, by separate order, will commission an inquest into damages. The Court respectfully directs the Clerk of the Court to terminate the motion pending at docket 19.

SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive, flowing style. It is positioned above a horizontal line.

Paul A. Engelmayer
United States District Judge

Dated: February 2, 2021
New York, New York